Application No.: 09/837,496   Docket No. D02049-01

AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

25. (Previously Presented, Presently Withdrawn) A method for determining a bit rate need of a plurality of variable rate video channels in a video encoder, comprising the steps of:

processing video data from a current picture in each respective channel to determine at least a spatial activity and a temporal activity thereof;

determining an initial bit rate demand for each current picture according to the associated spatial activity and temporal activity; and

for at least one current picture, determining whether the associated spatial activity is below a lower threshold, and if so, increasing the associated temporal activity thereof, and adjusting the initial bit rate demand thereof according to the increased temporal activity thereof.

26. (Previously Presented, Presently Withdrawn) A method in accordance with claim 25, comprising   the   further   step   of:
adjusting said initial bit rate demand for each current picture according to whether a scene change is detected for the current picture.

27. (Previously Presented, Presently Withdrawn) A method in accordance with claim 25, comprising the further step of:
adjusting said initial bit rate demand for each current picture according to whether a fade is detected for the current picture.

28. (Previously Presented, Presently Withdrawn) A method in accordance with claim 25, comprising   the   further   step   of:

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according to a ratio of bit rate demand thereof to a sum of the bit rate demands from each current

picture;

means for determining a bit rate surplus or deficit between the overall available bit rate and a

sum of the initial allocated bit rates; and

means for adjusting, in at least one successive iteration, the initial allocated bit rate for at least

some of the current pictures according to the surplus or deficit, and a ratio of bit rate demand

thereof to a sum of the bit rate demands thereof.

82. (Allowed) The apparatus of claim 81, further comprising:

means for adjusting said initial bit rate demand for each current picture according to whether a

scene change is detected for the current picture.

83. (Allowed) The apparatus of claim 81, further comprising:

means for adjusting said initial bit rate demand for each current picture according to whether a

fade is detected for the current picture.

84. (Allowed) The apparatus of claim 81, further comprising:

means for adjusting said initial bit rate demand for each current picture according to whether a

flash is detected for the current picture.

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85. (Allowed) The apparatus of claim 81, further comprising:

means for determining, for at least one current picture, whether the associated spatial activity is

below a lower threshold, and if so, increasing the associated temporal activity thereof, and

adjusting the initial bit rate demand thereof according to the increased temporal activity thereof.

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